

Franklin Zoning Board of Appeals  
For Meeting Held On  
Thursday, June 8, 2017  
355 East Central Street  
Franklin, MA 02038

Members Present:

Bruce Hunchard  
Robert Acevedo  
Timothy Twardowski  
Ian Luke

TOWN OF FRANKLIN  
TOWN CLERK  
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**471 & 481 West Central Street – Roger Calarese (West Central Plaza, LLC)**

Applicant is seeking a Special Permit for Earth Removal of 7,250 cu. yds. of material where only 1,000 cu. yds. is allowed. The building permit is denied without a Special Permit from the ZBA. Applicants Present: Richard Cornetta and Bob Paxon of Guerriere & Halnon.

Mr. Cornetta explains the details of the plan to include redevelopment of the entire site which involves construction of a 10,000 sq. ft. single building with associated paved parking areas, driveways, single access drive from West Central, landscape, lighting, utilities and storm water management. They are seeking site plan approval from the Planning Board as well. Bob Paxon from G & H makes a presentation and explains site plans. In order to develop the site and provide adequate parking and access, they need to excavate into a hill. There is no area within the site to lose the excess material that is coming out of the hill they need to use. The material will be trucked off-site toward I-495. The total yardage will be up to about 9,555 cu. yds. Chairman wants to know how they will deal with the ledge on the site. They are not proposing any blasting. They are going to uncover everything on the ledge, hammer it and remove it. There may be some crushing on site. They are not blasting because of proximity of residential units. Bruce believes two or three blasts to loosen up the ledge to remove it be considered as opposed to the 30 – 60 days of listening to the hammer. Lot is over 2.6 acres total.

Chairman opens the floor to the audience: Pat Lombardi stands and shares concerns regarding surveyors stakes that come right to the border of their property, loss of trees, hoping to retain some of the foliage that separates them from the noise on 140 as well as the noise in the lot. Many don't object to the project itself, but will they be losing all the trees? The small amount of land gives the residents a sense of privacy and the feel of a residential area. Will any blasting effect the integrity of the land and buildings that they live in? Brian Min stands and expresses concerns for the wildlife in the area. Bob Paxon explains that the stakes are the property line stakes, not the limit of proposed disturbance. There is a landscaping plan in that they will put a solid, vinyl fence on top of the wall and then, in front of the fence, they will plant plantings and screenings. Robert Acevedo asks about grade change from top of wall down to driveway and what the proposed building will be. Approximately 10 feet and it will be retail. No specific tenants have been identified. Excavation will be 7 a.m. – 5 p.m. M – F. Jeff Nutting stands and asks the applicant to consider a start time of 7:30 a.m. instead of 7 a.m. Chairman asks about proposal for dust mitigation. Chairman is not inclined to grant a Special Permit for earth removal until site plan is approved. All parties agree to continue the matter until the next ZBA of 06/22/2017.

Motion made to continue to June 22<sup>nd</sup> at 7:35 p.m. by Timothy Twardowski. Seconded by Robert Acevedo. Unanimous by board.

**115, 119, 125 & 129 Dean Avenue - Fairfield Residential Company, LLC**

Applicant is seeking to construct an apartment complex in a water resource district that exceeds 15% impervious coverage of the upland area. The building permit is denied without a Special Permit from the ZBA. Applicant is also seeking to construct an apartment complex where three of the six buildings are proposed to be 4-stories and 52' high where only 3-stories and 40' in height is allowed. The building permit is denied without a Variance from ZBA. Applicants present: Richard Cornetta, Attorney representing Fairfield Residential Company; Thomas Brunson, Principal of Fairfield Residential; John Shipe, Shipe

Consulting; Brian McCarthy, RJ O'Connell (consulting engineers, stormwater management, drainage analysis etc.).

Richard Cornetta gives updates on the progress they have made with the other boards in the town. During last public hearing with Planning Board they went into great detail with the traffic consultant. That analysis was also reviewed by Beta, the independent consultant hired by the town. They received a letter from Beta indicating that they reached the same conclusions as presented in their own traffic consultant's report. The project can safely be accommodated with minor impact on the roadway and the areas of the network surrounding the project site. They conclude that this would not have a significant impact on motorist delays. Mr. Cornetta said that Fairfield Residential submitted a letter dated 06/07/17 to the Town Administrator stating that they would commit the sum of \$700,000 to be used for roadway improvements along Dean Avenue, water main installation, pavement and sidewalk reconstruction, as well as looking at and completing the pedestrian connections from the project to the commuter rail station downtown. The Franklin Design Review Committee has accepted all of the plans presented to them. They also got approval from Conservation Commission.

Tim Twardowski did walk the site as he stated he would. He questions the official height of building #3? Is it considered a 3-story building or a 4-story building? Gus Brown, Franklin Building Commissioner responds: to be considered a story, the story must be more than 50% above the grade. There is a good possibility that the front building would only be 3-stories. Also, the building height is to be considered from the average grade as well to the main height of the building. He believes that it is a 3-story building. To be conservative Fairfield thought it would be appropriate to go ahead with the Variance request for the 4-story. The building height is 52'.

Chairman opens the floor to the audience: abutters still object to the 4-story building, more people, more traffic, more noise, and there are concerns about parking on the street.

Tim Twardowski questions the height of Building #3 in relation to the elevation of Dean Avenue. The answer is roughly 35'. Conversation ensues as to the various heights of each building and their relation to Dean Avenue. Robert Acevedo asks about the added work being done on Dean Avenue, specifically the walkway to the train station. Jeff Nutting explains that there will be a sidewalk built from Pleasant Street all the way down Dean Ave and improvements to the two existing sidewalks, a double sidewalk down to Hillside and a single sidewalk on the developing side all the way to Pleasant Street. Waterline work will be done on Dean Avenue and Hillside with some sidewalks on Hillside around the corner to tie in to the existing sidewalks. Waterline first and then road improvements afterward.

Motion made to close the public hearing by Tim Twardowski, seconded by Robert Acevedo. Unanimous by board. Motion proposed by Robert Acevedo to grant the applicant's Variance request for the 4-story buildings on buildings #3, #4 and #5 and to allow the Special Permit for impervious coverage up to 47.5%, seconded by Tim Twardowski. Unanimous by board.

Dates for 2018 Zoning Board of Appeals meetings discussed. Motion made to adopt the 2018 dates by Tim Twardowski and seconded by Robert Acevedo. Unanimous by board.

Motion made by Robert Acevedo to approve minutes as presented for Thursday, 04/27/2017. Seconded by Tim Twardowski. Unanimous by Board. Motion made to adjourn by Timothy Twardowski. Seconded by Robert Acevedo. Unanimous by board.

Signature Jeannine Herwin

Date 6-22-17